

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:01-CR-183-MOC-DCK**

UNITED STATES OF AMERICA,)	<u>ORDER OF CONTINUING GARNISHMENT</u>
Plaintiff,)	
v.)	
JOHN WILSON LOCKE,)	<u>ORDER OF CONTINUING GARNISHMENT</u>
Defendant,)	
and)	
WASTE MANAGEMENT OF CAROLINAS INC.,)	<u>ORDER OF CONTINUING GARNISHMENT</u>
Garnishee.)	

THIS MATTER IS BEFORE THE COURT on Plaintiff United States of America's
"Motion For Order Of Continuing Garnishment" (Document No. 234).

Judgment in the criminal case was entered on September 25, 2002. (Document No. 87).

As part of that Judgment, Defendant John Wilson Locke was ordered to pay an assessment of \$200.00 and restitution of \$281,914.34 to the victim of the crime. Id.

On September 26, 2023, the Court entered a Writ of Continuing Garnishment ("Writ") as to Garnishee, Waste Management of Carolinas, Inc. (Document No. 227). Defendant was served with the Writ and Instructions notifying him of his right to request a hearing and/or claim exemptions on September 27, 2023. (Document No. 229). Garnishee was served with the Writ and Instructions on September 27, 2023. Id. The Garnishee filed its Answer on October 16, 2023, stating that at the time of service of the Writ, Garnishee had in its custody, control, or possession property or funds owned by Defendant, including nonexempt, disposable earnings. (Document No. 230). Garnishee certified that it served the Answer on Defendant on October 13, 2023. Id.

Defendant filed a Request for Hearing on October 26, 2023. (Document No. 231). The United States filed a Response in Opposition to Defendant's Request for Hearing on November 2, 2023. (Document No. 232). The Court denied Defendant's Request for Hearing on November 13, 2023. (Document No. 233).

IT IS, THEREFORE, ORDERED that an Order of Continuing Garnishment is hereby **ENTERED** in the amount of \$247,178.36 computed through September 26, 2023. Garnishee shall pay Plaintiff, United States of America, up to the lesser of:

1. twenty-five percent (25%) of Defendant's disposable earnings which remain after all deductions required by law have been withheld, or
2. the amount by which Defendant's disposable earnings for each week exceed thirty (30) times the federal minimum wage.

See 15 U.S.C. § 1673(a). Garnishee shall continue payments until the debt to the United States is paid in full; until Garnishee no longer has custody, possession, or control of any property belonging to Defendant; or until further Order of this Court.

Payments should be made payable to the United States Clerk of Court and mailed to:

CLERK OF THE UNITED STATES DISTRICT COURT
ATTN: FINANCE DEPARTMENT
401 WEST TRADE STREET
CHARLOTTE, NORTH CAROLINA 28202

To ensure that each payment is credited properly, the following should be included on each check:
Defendant's Name John Wilson Locke, Court Number 3:01-CR-183-3.

IT IS FURTHER ORDERED that Garnishee shall advise this Court if Defendant's employment is terminated at any time by Garnishee or Defendant.

IT IS FURTHER ORDERED that the United States shall submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment Defendant would normally receive may be offset and applied to this debt.

SO ORDERED.

Signed: November 21, 2023



David C. Keesler
United States Magistrate Judge

